

EXHIBIT C

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEW MEXICO**

STATE OF NEW MEXICO, EX REL., RAÚL  
TORREZ, ATTORNEY GENERAL,

Plaintiff,

- v. -

META PLATFORMS, INC.; INSTAGRAM, LLC;  
META PAYMENTS, INC.; META PLATFORMS  
TECHNOLOGIES, LLC; and MARK  
ZUCKERBERG,

Defendants.

No. 1:23-cv-01115-DLM-KK

**DECLARATION OF NATHAN E. SHAFROTH IN SUPPORT OF  
DEFENDANTS' OPPOSITION TO MOTION FOR ORDER REQUIRING DEFENDANTS  
TO PRESERVE RELEVANT DOCUMENTS CONCERNING META ACCOUNTS  
REFERENCED IN THE COMPLAINT**

I, Nathan E. Shafroth, declare and state as follows:

1. I am a partner of Covington & Burling LLP and counsel of record for Defendants in this action. I submit this Declaration in support of Defendants' Opposition to Plaintiff's Motion for Order Requiring Defendants to Preserve Relevant Documents Concerning Meta's Accounts Referenced in the Complaint. The declaration is based on my personal knowledge.

2. On December 14, 2023, Meta offered by email to meet and confer with the State regarding its preservation efforts.

3. Meta reiterated its offer to confer on December 21, at which point the State agreed to confer.

4. The parties conferred on December 26. During that conferral, Meta's counsel explained the user data preservation efforts Meta has undertaken and answered questions posed by the State regarding those efforts.

5. During the parties' conference, the State stated that the impetus for its motion was its belief that Meta would be deleting user accounts. The State declined to withdraw its motion, even after being informed that Meta has applied legal holds that will prevent deletion of the accounts at issue.

6. The State stated during the parties' conference, without offering any authority, that it believes Meta is required to preserve "all data" associated with the accounts at issue.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct. Executed on January 4, 2024, at San Francisco, California.

/s/ Nathan E. Shafroth  
Nathan E. Shafroth